

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CALVIN McKENNEDY,

Petitioner,

Case No.: 2:24-cv-00424-APG-BNW

Order Dismissing Action

V.

THE STATE OF MICHIGAN,

Respondent.

10 This action was initiated, *pro se*, by Calvin McKenna, on March 1, 2024, as a petition
11 for a writ of habeas corpus. I will summarily dismiss this action because McKenna has not
12 paid the filing fee for this action and has not applied to proceed *in forma pauperis*, because his
13 habeas petition is not on the form required by this Court, because the Court does not have
14 jurisdiction over the respondent State of Michigan, and because, at any rate, McKenna's
15 petition is patently meritless in that it does not set forth any claim for habeas corpus relief.

16 McKenna has not paid the \$5 filing fee for this habeas corpus action and he has not
17 applied to proceed *in forma pauperis*. And his habeas petition (ECF No. 1-1) is not on a form
18 recognized by this Court; rather, it is on a form apparently provided by the courts of Michigan.

19 See Local Rules LSR 1-1, 1-2, 3-1.

20 McKenna's petition states that he is "presently incarcerated in the Macomb County
21 Jail. This Court takes judicial notice that Macomb County is a county in Michigan. As such, this
22 Court does not have jurisdiction over the respondent, that is, the State of Michigan or the
23 Macomb County official who has custody of McKenna.

1 Moreover, McKenna's petition is patently meritless, in that it does not include any
2 claim for habeas corpus relief.

3 For all these reasons, I will summarily dismiss this action.

4 **I THEREFORE ORDER** that this action is **DISMISSED**.

5 **I FURTHER ORDER** that, as reasonable jurists would not find the rulings in this order
6 to be debatable, the petitioner is denied a certificate of appealability.

7 **I FURTHER ORDER** that the Clerk of the Court is directed to enter judgment
8 accordingly and close this case.

9 Dated: March 5, 2024

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11 ANDREW P. GORDON
12 UNITED STATES DISTRICT JUDGE

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